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PROB 22 TRANSFER OF JURISDICTION JAN 24 2008 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND		DOCKET NUMBER (Tran. Court) 2:04CR00025-01 DOCKET NUMBER (Rec. Court) CR08-00006 CW	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE Maria LEGASPI Baypoint, California I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office. ATTEST: VICTORIA C. MINOR Clerk, U. S. District Court Eastern District of California By <u>[Signature]</u> Deputy Clerk 1-23-08	DISTRICT Eastern District of California	DIVISION Northern	ORIGINAL FILED JAN - 7 2008 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND
	NAME OF SENTENCING JUDGE David F. Levi United States District Judge		
	DATES OF PROBATION/SUPERVISED RELEASE:	FROM 08/03/2007	TO 08/02/2008 RECEIVED JAN - 7 PM 5:08 U.S. DISTRICT COURT OAKLAND
OFFENSE 18 USC 4 - Misprision of a Felony			
PART 1 - ORDER TRANSFERRING JURISDICTION UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the supervised releasee named above be transferred with the records of the Court to the United States District Court for the Northern District of California upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.* 10/24/2007 Date <u>10/24/2007</u> /s/ D. Lowell Jensen D. Lowell Jensen, United States District Judge			
RESTITUTION: If this offender has an order of restitution which is to be paid jointly and severally, the offender shall send payments to the sentencing district Court Clerk's Office and no financial record shall be created in the receiving district.			
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA IT IS HEREBY ORDERED that jurisdiction over the above-named supervised releasee be accepted and assumed by this Court from and after the entry of this order. JAN - 3 2008 Effective Date <u>JAN - 3 2008</u> <u>[Signature]</u> United States District Judge			

CC: United States Attorney
 FLU Unit-United States Attorney's Office
 Fiscal Clerk-Clerk's Office

FILED**JAN 22 2008**

CLERK, U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 BY [Signature] DEPUTY CLERK
 TRANSFER OF JURIS (PROB22).MRG

1 MCGREGOR W. SCOTT
United States Attorney
2 DANIEL S. LINHARDT
Assistant U.S. Attorney
3 501 I Street, Suite 10-100
Sacramento, California 95814
4 Telephone: (916) 554-2770

FILED

JAN 22 2004

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 **CR.S-04-0025 DFL**

11 UNITED STATES OF AMERICA,)

CR S -

12 Plaintiff,)

VIOLATIONS: 18 U.S.C. § 1341 -

13 v.)

Mail Fraud; 18 U.S.C. § 2 -

14 MARIA LEGASPI,)

Aiding and Abetting (23

15 Defendant.)

Counts); 18 U.S.C. §

981(a)(1)(C) - incorporated by

28 U.S.C. § 2461(C) - Criminal

Forfeiture

16
17 I N D I C T M E N T

18 COUNTS ONE THROUGH TWENTY-THREE: [18 U.S.C. §§ 1341 and 2 - Mail
19 Fraud]

20 The Grand Jury charges:

21 MARIA LEGASPI,

22 defendant herein, as follows:

23 I. INTRODUCTION

24 At all times material herein:

25 A. Defendant MARIA LEGASPI was a tax preparer doing business
26 as Legaspi Tax Services in Bay Point, California.

27 B. The California Franchise Tax Board was the taxing agency
28 that collected income tax for the State of California. All

I hereby certify that the annexed
instrument is a true and correct copy of
the original on file in my office

ATTEST: **VICTORIA C. RENOR**

Clerk, U. S. District Court
Eastern District of California

By [Signature]
Deputy Clerk

Dated 1-23-08

1 California State tax returns were filed with the Franchise Tax Board
2 in Sacramento, California, and any taxpayer due a refund had his or
3 her refund check mailed by the State Controller's Office from
4 Sacramento, California.

5 II. SCHEME TO DEFRAUD

6 From in or about January 2002, through in or about July 2003,
7 in the Eastern District of California and elsewhere, defendant MARIA
8 LEGASPI devised and intended to devise a scheme and artifice to
9 defraud and to obtain money and property by means of materially
10 false, fictitious or fraudulent statements, representations and
11 promises, and in connection therewith used or caused to be used the
12 United States mails, to wit: defendant MARIA LEGASPI prepared false
13 amended tax returns for various individuals in which they falsely
14 claimed expenses which the individuals had not, in fact, incurred,
15 and therefore were not eligible to deduct from their net taxable
16 income. The defendant charged a fee of between \$150 and \$250 for
17 preparing each false amended return. As a result of the
18 defendant's actions, she defrauded and attempted to defraud the
19 California Franchise Tax Board out of in excess of \$400,000.

20 III. WAYS AND MEANS

21 In furtherance of the aforesaid scheme and artifice to defraud,
22 defendant MARIA LEGASPI employed, among others, the following ways
23 and means:

24 A. Without getting any receipts, supporting documentation,
25 or information from the taxpayers to substantiate the deductions on
26 the amended false returns, defendant MARIA LEGASPI prepared amended
27 false tax returns increasing the taxpayers' itemized deductions for
28 gifts to charity and unreimbursed employee business expenses.

	<u>COUNT</u>	<u>REFUND WARRANT DATE</u>	<u>TAXPAYER</u>	<u>TAX YEAR</u>	<u>PAID FRAUDULENT AMOUNT</u>	<u>ADDRESS</u>
1						
2						
3	1	7/22/2002	S. M.	2000	\$1,173.58	9th Street, Berkeley
4						
5	2	7/19/2002	S. M.	2001	\$1,321.62	9th Street Berkeley
6						
7	3	4/23/2002	D. & M. D.	1998	\$1,206.12	Eulalie Drive San Jose
8						
9	4	7/1/2002	D. & M. D.	1999	\$1,004.99	Eulalie Drive San Jose
10						
11	5	7/8/2002	D. & M. D.	2000	\$1,205.37	Eulalie Drive San Jose
12						
13	6	8/8/2002	R. & J. N.	2000	\$1,089.83	Tristian Avenue San Jose
14						
15	7	6/27/02	D. C.	1998	\$1,194.29	Vaqueros Avenue Rodeo
16						
17	8	3/5/02	D. & N. C.	2000	\$1,089.25	Vaqueros Avenue Rodeo
18						
19	9	8/12/02	E. & S. S.	1999	\$1,162.38	Coventry Lane Fairfield
20						
21	10	6/11/02	L. & A. L.	2000	\$1,422.42	Locust Court Vallejo
22						
23	11	6/11/02	L. & A. L.	2001	\$1,065.29	Locust Court Vallejo
24						
25	12	2/27/02	R. & C. L.	1998	\$3,071.94	Chelsea Street Daly City
26						
27	13	7/26/02	R. & A. N.	2000	\$1,085.60	Crest Drive Sacramento
28	///					

<u>COUNT</u>	<u>REFUND WARRANT DATE</u>	<u>TAXPAYER</u>	<u>TAX YEAR</u>	<u>PAID FRAUDULENT AMOUNT</u>	<u>ADDRESS</u>
14	8/12/02	F. & K. B.	1999	\$1,211.02	Bass Lake Street Fremont
15	7/16/02	F. & K. B.	2000	\$1,106.19	Bass Lake Street Fremont
16	8/7/02	F. & K. B.	2001	\$1,182.66	Bass Lake Street Fremont
17	3/13/02	A. & J. M.	1998	\$1,379.13	Nelson Drive Santa Clara
18	6/26/02	A. & J. M.	1999	\$1,816.31	Nelson Drive Santa Clara
19	7/18/02	R. & R. Y.	1999	\$1,388.61	Gilman Drive Colma
20	7/22/02	R. & R. Y.	2000	\$1,075.22	Gilman Drive Colma
21	7/25/02	J. & G. S.	2000	\$1,243.28	Quimby Road San Jose
22	6/5/02	M. P.	1998	\$1,121.48	Waverly Avenue San Jose
23	3/20/02	M. P.	1999	\$1,033.27	Waverly Avenue San Jose

All in violation of Title 18, United States Code, Sections
1341 and 2.

///

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///

1 COUNT TWENTY-FOUR: [18 U.S.C. § 981(a)(1)(C), incorporated by 28
2 U.S.C. § 2461(c) - Criminal Forfeiture]

3 The Grand Jury further charges:

4 MARIA LEGASPI,
5 defendant herein, as follows:

6 Upon conviction of one or more of the offenses alleged in
7 Counts 1-23 of this Indictment, defendant MARIA LEGASPI shall
8 forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C)
9 (as incorporated by 28 U.S.C. § 2461(c)), any property, real or
10 personal, which constitutes or is derived from proceeds of said
11 violation(s), including but not limited to the following:

12 A sum of money equal to the amount of proceeds obtained as a
13 result of the offense, mail fraud in violation of 18 U.S.C. § 1341.

14 If any property subject to forfeiture, as a result of the
15 offenses alleged in Counts 1-23 of this Indictment:

16 (1) cannot be located upon the exercise of due diligence;

17 (2) has been transferred or sold to, or deposited with, a
18 third person;

19 (3) has been placed beyond the jurisdiction of the Court;

20 (4) has been substantially diminished in value; or

21 (5) has been commingled with other property which cannot be
22 subdivided without difficulty;

23 it is the intent of the United States, pursuant to 18 U.S.C. §
24 982(b)(1), incorporating Title 21, United States Code, Section
25 853(p), to seek forfeiture of any other property of said defendant
26 up to the value of the property subject to forfeiture, including but
27 not limited to the following:

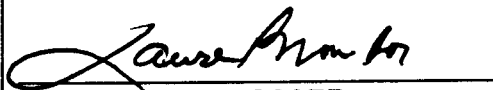
28 ///

1 (a) Real property located at 19 Surf View Drive, Bay
2 Point, California, APN: 098-142-017, recorded
3 owners Alexander G. Legaspi and Maria Honeylee D.
4 Bravo; and

5 (b) Real property located at 589 Pacifica Avenue, Bay
6 Point, California, APN: 098-210-001, recorded
7 owners Alexander G. Legaspi and Maria H. Legaspi.

8 A TRUE BILL.

9
10 
11 FOREPERSON

12 
13 MCGREGOR W. SCOTT
14 United States Attorney
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FILED

United States District Court
Eastern District of California

FEB 4 2005

CLERK, U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 BY _____

UNITED STATES OF AMERICA
 v.
MARIA LEGASPI

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)
 Case Number: **2:04CR00025 01**

RANDY S. POLLOCK, ESQ.
 Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count: 1 of the Second Superseding Information.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 4	MISPRISION OF A FELONY	07/2003	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☒ ALL REMAINING COUNTS of the Second Superseding Information are dismissed on the motion of the United States.

☒ Appeal rights waived.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.

ATTEST: **JACK L. WAGNER**

Clerk, U. S. District Court
 Eastern District of California

By [Signature] Deputy Clerk

Dated 02/04/05

01/27/2005

Date of Imposition of Judgment

[Signature]
 Signature of Judicial Officer

HON. DAVID F. LEVI, United States District Judge

Name & Title of Judicial Officer

2/3/2005
 Date

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.

ATTEST: **VICTORIA C. MINOR**

Clerk, U. S. District Court
 Eastern District of California

By [Signature] Deputy Clerk

Dated 1-23-08

AO 245B-CAED (Rev. 3/04) Sheet 2 - Imprisonment

CASE NUMBER: 2:04CR00025 01
DEFENDANT: MARIA LEGASPI

Judgment - Page 2 of 6

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 24 MONTHS.

- ☒ The court makes the following recommendations to the Bureau of Prisons:
The Court recommends that the defendant be incarcerated in Dublin Camp, California, but only insofar as this accords with security classification and space availability.
- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.
☐ at ____ on ____.
☐ as notified by the United States Marshal.
- ☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
☒ before 2:00 P.M. on 05/16/2005.
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Officer.
If no such institution has been designated, to the United States Marshal for this district.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

AO 245B-CAED (Rev. 3/04) Sheet 3 - Supervised Release

CASE NUMBER: 2:04CR00025 01

Judgment - Page 3 of 6

DEFENDANT: MARIA LEGASPI

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 12 MONTHS.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☒ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☐ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere, and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

CASE NUMBER: 2:04CR00025 01
DEFENDANT: MARIA LEGASPI

Judgment - Page 4 of 6

SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall submit to the search of her person, property, home, and vehicle by a United States Probation Officer, or any other authorized person under the immediate and personal supervision of the probation officer, based upon reasonable suspicion, without a search warrant. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
2. The defendant shall not dispose of or otherwise dissipate any of her assets until the fine and/or restitution order by this judgment is paid in full, unless the defendant obtains approval of the court.
3. The defendant shall provide the probation officer with access to any requested financial information.
4. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
5. Pursuant to 18 USC 3583(d)(3), upon completion of the term of imprisonment, the defendant is to be surrendered to a duly authorized Immigration official for deportation proceeding in accordance with the established procedures provided by the Immigration and Nationality Act. If ordered deported, during the term of supervised release, the defendant shall remain outside the United States and shall not re-enter the United States without the consent of the Attorney General or the Secretary of the Department of Homeland Security of the United States.

Upon any re-entry, lawful or unlawful, into the United States, the defendant shall report in person to the United States Probation Office in the Eastern District of California within 72 hours.

6. The defendant shall cooperate with the Franchise Tax Board in the determination and payment of any taxes which may be owed.
7. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
8. The defendant shall be prohibited from providing assistance to anyone in the completion of tax returns or amended tax returns, and from providing tax advice.

CASE NUMBER: 2:04CR00025 01
 DEFENDANT: MARIA LEGASPI

Judgment - Page 5 of 6

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$ 100	\$	\$

☐ The determination of restitution is deferred until __. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
<u>TOTALS:</u>	\$ __	\$ __	

☐ Restitution amount ordered pursuant to plea agreement \$ __

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ The interest requirement is waived for the ☐ fine ☐ restitution

☐ The interest requirement for the ☐ fine ☐ restitution is modified as follows:

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B-CASD (Rev. 3/04) Sheet 6 - Schedule of Payments

CASE NUMBER: 2:04CR00025 01
 DEFENDANT: MARIA LEGASPI

Judgment - Page 6 of 6

SCHEDULE OF PAYMENTS

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A ☐ Lump sum payment of \$ ___ due immediately, balance due
- ☐ not later than __, or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal __ (e.g., weekly, monthly, quarterly) installments of \$ __ over a period of __ (e.g., months or years), to commence __ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal __ (e.g., weekly, monthly, quarterly) installments of \$ __ over a period of __ (e.g., months or years), to commence __ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within __ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate:

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

PROB22_OUT

U.S. District Court
Eastern District of California - Live System (Sacramento)
CRIMINAL DOCKET FOR CASE #: 2:04-cr-00025-DFL All Defendants
Internal Use Only

Case title: USA v. Legaspi

Date Filed: 01/22/2004

Date Terminated: 01/27/2005

Assigned to: Chief Judge David F.
Levi

Defendant (1)**Maria Legaspi****TERMINATED: 01/27/2005**

represented by **Michael Stepanian**
Law Offices of Michael Stepanian

819 Eddy Street
San Francisco, CA 94109
415-771-6174
Email: mstepanian@sbcglobal.net

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Randy Sue Pollock
Law Offices of Randy Sue
Pollock
2831 Telegraph Avenue
Oakland, CA 94609
510-763-9967
Fax: 510-272-0711
Email: pollockesq@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts**Disposition**

18:4.F MISPRISION OF
FELONY
(1ss)

imprisonment 24 months;
recommendation Dublin Camp;
surrender date 5/16/05 at 2:00
PM; TSR 12 months; fine waived;
S/A \$100; right to appeal waived

Highest Offense Level
(Opening)

Felony

Terminated Counts

18:1341.F and 2 MAIL FRAUD
(1-23)

Disposition

DISMISSED

18:4.F MISPRISION OF
FELONY
(1s)

DISMISSED

18:981.F (a)(1)(C) incorporated
by 28:2461(c) CRIMINAL
FORFEITURE
(24)

DISMISSED

Highest Offense Level
(Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Daniel S Linhardt**
United States Attorney
501 I Street
Suite 10-100
Sacramento, CA 95814
916-554-2700
Email:
usacae.ecfsactemp@usdoj.gov
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/22/2004	1	INDICTMENT by US Attorney Daniel S Linhardt Counts filed against Maria Legaspi (1) count(s) 1-23, 24 (ljr) (Entered: 01/23/2004)
01/22/2004		ARREST Warrant issued for Maria Legaspi by Magistrate Judge Gregory G. Hollows bail set at NO BAIL (ljr) (Entered: 01/23/2004)
01/28/2004	2	RECEIPT of Passport No. JJ150868 for defendant Maria Legaspi by Maria Honeylee Legaspi Receipt # 6069 (crf) (Entered: 01/28/2004)
01/28/2004	4	MEMORANDUM by CRD/GGH to USM warrant recalled as to Maria Legaspi; dft made her appearance in court 1/28/04 at 2:00 before GGH (ljr) (Entered: 01/29/2004)
01/28/2004	5	NOTICE by defendant Maria Legaspi being released (ljr) (Entered: 01/29/2004)
01/29/2004	3	MINUTES before Magistrate Judge Gregory G. Hollows dft Maria Legaspi arraigned; NOT GUILTY plea entered on indictment; Atty Randy Sue Pollock present ; dft advised of her rights and the pending charges; govt agrees to pretrial release; court orders dft released on her own recognizance; dft advised of the penalties for failure to appear and ordered surrender her passport forthwith; defense and govt counsel request matter be cont and req time be excluded; status hearing set for 10:00 3/25/04 for Maria Legaspi , excludable T4 started for Maria Legaspi start date 1/28/04 end date: 3/25/04 C/R: CD 1 of 1 (ljr) (Entered: 01/29/2004)
01/29/2004	6	ARREST Warrant returned executed as to defendant Maria Legaspi defendant arrested on 1/28/04 (recalled per memo 1/28/04) (ljr) (Entered: 01/30/2004)
01/29/2004		(Court only) ***JS-2 FIRST APPEARANCE CODE (Duong, D) (Entered: 02/10/2005)
03/01/2004	7	NOTICE by USA of recording of Lis Pendens with the Contra Costa County Recorder as Doc No 2004-0027339-00 for real property at 19 Surf View Dr Bay Point CA (mdk) Modified on 03/02/2004 (Entered: 03/02/2004)

03/01/2004	8	NOTICE by USA of recording of Lis Pendens with the Contra Costa County Recorder as Doc No 2004-0027340-00 for real property located at 589 Pacifica Ave Bay Point CA (mdk) (Entered: 03/02/2004)
03/22/2004		LODGED stipulation to continue date for status confernece by defendant Maria Legaspi (ljr) (Entered: 03/22/2004)
03/23/2004	<u>9</u>	STIPULATION AND ORDER by Chief Judge David F. Levi status hearing reset for 10:00 5/13/04 for Maria Legaspi (cc: all counsel) - (ljr) (Entered: 03/23/2004)
03/25/2004		LODGED stipulation and order re continuance and excludable time by defendant Maria Legaspi (ljr) (Entered: 03/26/2004)
03/29/2004	<u>10</u>	STIPULATION AND ORDER by Chief Judge David F. Levi ORDERING status hearing CONTINUED to 10:00 5/13/04 for Maria Legaspi , XT4 started for Maria Legaspi start 3/25/04 - end date: 5/13/04 (cc: all counsel) - (mdk) (Entered: 03/29/2004)
05/13/2004	11	MINUTES before Chief Judge David F. Levi RE: status conference, further status hearing SET for 10:00 7/1/04 for Maria Legaspi , XT4 started for Maria Legaspi start date: 5/13/04 - end date: 7/1/04 C/R D McKinnon (mdk) (Entered: 05/14/2004)
05/13/2004	12	SUPERSEDING Information as to Maria Legaspi (1) count(s) 1s (mdk) (Entered: 05/14/2004)
06/10/2004		LODGED stipulation and order regarding continuance and excludable time by defendant Maria Legaspi (ljr) (Entered: 06/14/2004)
06/21/2004	<u>13</u>	STIPULATION AND ORDER by Chief Judge David F. Levi change of plea hearing reset for 10:00 8/12/04 for Maria Legaspi , excludable T started for Maria Legaspi start date: 7/1/04 end date: 8/12/04 ; (cc: all counsel) - (ljr) (Entered: 06/21/2004)
08/11/2004	14	SECOND SUPERSEDING Information as to Maria Legaspi (1) count(s) 1ss (ljr) (Entered: 08/12/2004)
08/12/2004	15	WAIVER of indictment by defendant Maria Legaspi (ljr) (Entered: 08/13/2004)
08/12/2004	16	MINUTES before Chief Judge David F. Levi RE: change of plea guilty plea entered by Maria Legaspi (1) count(s) 1ss ,

		presentence report ordered; sentencing hearing set for 10:00 11/18/04 for Maria Legaspi C/R J McLeod Diamond Reporters (ljr) (Entered: 08/13/2004)
08/12/2004	17	SCHEDULE FOR DISCLOSURE OF PSR as to defendant Maria Legaspi (ljr) (Entered: 08/13/2004)
08/12/2004	18	PROPOSED PLEA Agreement by USA as to Maria Legaspi (ljr) (Entered: 08/13/2004)
10/06/2004		LODGED stipulation and order continuing sentencing until 1/13/05 (mdk) (Entered: 10/07/2004)
10/08/2004	<u>19</u>	STIPULATION AND ORDER by Chief Judge David F. Levi GRANTING judgment and sentencing hearing CONTINUED to 10:00 1/13/05 for Maria Legaspi (cc: all counsel) - (mdk) (Entered: 10/08/2004)
12/22/2004	20	NOTICE of hearing sentencing hearing RESET 10:00 1/27/05 for Maria Legaspi (cc: all counsel) (ndd) (Entered: 12/23/2004)
01/20/2005	● <u>21</u>	STIPULATION & ORDER signed by Judge David F. Levi on 1/19/05. US Attorney & counsel for dft Maria Legaspi stipulate & agree that her passport, which is custody of US District Court Clerk, be duplicated and provided to her so that she can apply for Philippine passports for her 4 children. (Marciel, M) (Entered: 01/20/2005)
01/20/2005	● <u>22</u>	SENTENCING MEMORANDUM by dft Maria Legaspi. (Krueger, M) (Entered: 01/21/2005)
01/25/2005	● <u>23</u>	SENTENCING MEMORANDUM by USA as to Maria Legaspi (Linhardt, Daniel) (Entered: 01/25/2005)
01/27/2005	● <u>24</u>	MINUTES for proceedings held before Judge David F. Levi :SENTENCING held on 1/27/2005 for Maria Legaspi (1), Count(s) 1-23, 1s, 24, DISMISSED; Count(s) 1ss, imprisonment 24 months; recommendation Dublin Camp; surrender date 5/16/05 at 2:00 PM; TSR 12 months; fine waived; S/A \$100; right to appeal waived., Terminate Deadlines and Hearings as to Maria Legaspi, Maria Legaspi terminated. Government Counsel D Linhardt present. Defense Counsel M Stepanian present. Court Reporter/CD Number: D McKinnon. (Reader, L) (Entered: 01/28/2005)
02/04/2005	● <u>25</u>	JUDGMENT and COMMITMENT as to Maria Legaspi signed

		by Judge David F. Levi on 2/3/05. (Duong, D) (Entered: 02/07/2005)
02/11/2005	● <u>26</u>	NOTICE of CHANGE of ADDRESS by counsel Randy Sue Pollock to 2831 Telegraph Ave, Oakland, CA 94609 as to dft Maria Legaspi (Reader, L) (Entered: 02/14/2005)
02/28/2005	● <u>27</u>	LETTER from BOP as to dft Maria Legaspi (Reader, L) (Entered: 03/01/2005)
05/02/2005	● <u>28</u>	(proposed) STIPULATION <i>EXTENDING date for self-surrender to FCE Dublin from May 16, 2005 until July 11, 2005</i> (Stepanian, Michael) Modified on 5/4/2005 (Reader, L). (Entered: 05/02/2005)
05/04/2005	● <u>29</u>	STIPULATION AND ORDER self-surrender to the FCI at Dublin is extended from 5/16/2005 until 7/11/2005 as to Maria Legaspi <u>28</u> , signed by Judge David F. Levi on 5/3/2005. (Reader, L) (Entered: 05/04/2005)
06/30/2005	● <u>30</u>	STIPULATION <i>to continue date for self-surrender from July 11, 2005 to September 19, 2005</i> (Pollock, Randy) Modified on 7/1/2005 (Marciel, M). (Entered: 06/30/2005)
07/08/2005	● <u>31</u>	STIPULATION AND ORDER that the date for self-surrender be continued from 7/11/2005 to 9/19/2005 as to Maria Legaspi re <u>30</u> Proposed Order filed by Maria Legaspi, signed by Judge David F. Levi on 7/7/2005. (Reader, L) (Entered: 07/08/2005)
09/12/2005	● <u>32</u>	STIPULATION <i>and Proposed Order To Extend Date For Self-Surrender To FCI Dublin</i> (Stepanian, Michael) (Entered: 09/12/2005)
09/16/2005	● <u>33</u>	STIPULATION AND ORDER self-surrender to FCI Dublin is EXTENDED until 11/7/2005 as to Maria Legaspi <u>32</u> , signed by Judge David F. Levi on 6/15/2005. (Reader, L) (Entered: 09/16/2005)
01/22/2008	● <u>34</u>	PROBATION JURISDICTION (PROBATION 22 Out) TRANSFERRED to Northern District of CA as to Maria Legaspi. Signed by Senior Judge D Lowell Jensen on 10/24/07. Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. DEFENDANT TERMINATED. CASE CLOSED. (Kaminski, H) (Entered: 01/23/2008)